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LETTER AND RESPONSE TO REGULATOR COMMENTS ON DRAFT FEASIBILITY STUDY
FOR GROUNDWATER SITE 3 NWS YORKTOWN VA

10/24/2013
CH2M HILL

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October 24, 2013

Mr. Wade M. Smith
VDEQ – Office of Remedial Programs
VA Dept of Environmental Quality
629 East Main Street
Richmond, VA 23219

Subject: Response to Follow-Up Comments on the *Draft Feasibility Study for Groundwater at Site 3, NWS Yorktown, Yorktown, Virginia*

Dear Mr. Smith,

This letter is in response to comments on the September 10, 2013 RTC letter for the subject document. The comments were provided in your letter dated October 1, 2013. VDEQ comments are shown below followed by the Navy responses in italics.

DEQ RTC #2: Thank you for adding the Groundwater Quality Standard 9 VAC 25-280-30. However, the DEQ notes in the response that the ARAR was added, but with a caveat stating only as it applies to identified COCs at the site. The DEQ does not understand the reasoning for the additional note. No groundwater constituents are allowed to be degraded at the completion of the remedial action. The purpose of this ARAR was to ensure that at the point of completion of the remedial action the natural quality for all the constituents found in the groundwater would be maintained. Therefore, the DEQ requests that the caveat statement be removed, as Virginia's Antidegradation Policy is applicable to all constituents in groundwater.

Response: *The caveat statement will be revised to include constituents in groundwater that may be potentially impacted following remedy implementation at Site 3. Because the final remedy has not been selected for the site, these potential constituents will be identified in future remedy-specific work plans that will be submitted to the Partnering Team for approval. Following, the "Comment" column of the ARAR will be written as follows, "The antidegradation policy is applicable with respect to identified COCs and other groundwater constituents identified in ongoing remedy-specific monitoring plans developed during remedy implementation."*

DEQ RTC #4: DEQ recommended the addition of 9 V AC 20-81-45(B)(2)(t) that states, "In addition to those exceptions found in 40 CFR 257.1(c), the open dump criteria shall not apply to sites that are undergoing remediation per the requirements of CERCLA or the RCRA Corrective Action Program and are doing so with the department's and/or the Environmental Protection Agency's oversight." This ARAR is frequently recommended to sites undergoing remediation under CERCLA in Virginia and the DEQ believes it to be a substantive provision affording protection to the site. However, if the Navy feels it is not a substantive provision of the Virginia Solid Waste Regulation and does not desire to be afforded this protection, the DEQ defers to their decision.

Mr. Wade M. Smith

October 24, 2013

Page 2

Response: *The open dump criterion is not considered to apply to Site 3. The determination of ARARs provides a comprehensive and specific list of what requirements are pertinent to a remedial action. Conversely, any requirements that are not included in the ARAR list are not pertinent. Therefore, the Navy feels that there is generally no need to cite exemptions within the ARAR table.*

Please provide acceptance of these responses. Any back comments are requested by November 7, 2013. Should you have any additional questions, please feel free to contact me.

Sincerely,

CH2M HILL

A handwritten signature in cursive script that reads "William J. Friedmann, Jr.".

William J. Friedmann, Jr.

Activity Manager

cc: Mr. Moshood Oduwole /USEPA
Mr. James Gravette/NAVFAC Midlant
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